

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2012-145906-001 DT

10/03/2012

COMMISSIONER MONICA GARFINKEL

CLERK OF THE COURT  
M. Cabral  
Deputy

STATE OF ARIZONA

HEATHER LEE KIRKA

v.

MICHAEL T CONFER (001)

JOHN SULLIVAN

PRELIMINARY HEARING CONTINUANCE

3:06 p.m. This is the time set for Witness Preliminary Hearing.

Courtroom 2A - South Court Tower

State's Attorney:	Michelle Vaitkus for Heather Kirka
Defendant's Attorney:	John Sullivan
Defendant:	Present

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Status of the case is discussed.

LET THE RECORD REFLECT, pursuant to the *Donald* opinion, the Defendant is advised of the penalties if convicted and the plea agreement that is being offered at this time.

The State advises the Defendant that the plea agreement will remain open until the close of business on this date.

3:13 p.m. Court stands at recess.

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2012-145906-001 DT

10/03/2012

4:02 p.m. Court reconvenes.

Courtroom 2A - South Court Tower

State's Attorney:	Kristen Foster for Heather Kirka
Defendant's Attorney:	Norma Martens for John Sullivan
Defendant:	Present

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Let the record reflect that the Defendant is rejecting the State's plea agreement.

Let the record further reflect that the State's plea agreement is withdrawn.

On motion of Defense, there being no objection and good cause appearing;

IT IS ORDERED continuing the Preliminary Hearing in this matter to **October 16, 2012 at 8:30 a.m.** before this Court. This is a witness setting.

IT IS ORDERED excluding time.

IT IS FURTHER ORDERED affirming prior release orders.

4:04 p.m. Matter concludes.